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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 28, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE ESQUIVEL GARCIA,

Defendant.

No. 2:19-CR-00202-RHW-1

**ORDER GRANTING PLAINTIFF'S
MOTION TO DISMISS**

(ECF No. 65)

Before the Court is Plaintiff's Motion to Voluntarily Dismiss the Indictment under Federal Rule of Criminal Procedure 48(a). **ECF No. 65.**

Federal Rule of Criminal Procedure 48(a) states "The government may, with leave of court, dismiss an indictment, information, or complaint. The government may not dismiss the prosecution during trial without the defendant's consent." The government represents that it is in the best interests of justice to dismiss the indictment with prejudice. The Court agrees.

Accordingly, **IT IS HEREBY ORDERED:**

**ORDER GRANTING PLAINTIFF'S
MOTION TO DISMISS ~ 1**

1. Plaintiff's Motion for Order of Dismissal With Prejudice, ECF No. 65,

is GRANTED.

IT IS SO ORDERED. The District Court Clerk is directed to file this Order and provide copies to counsel and close the file.

DATED this January 28, 2022.

s/ Robert H. Whaley

ROBERT H. WHALEY

Senior United States District Judge

**ORDER GRANTING PLAINTIFF'S
MOTION TO DISMISS ~ 2**